

### **REMARKS**

Applicants appreciate the Examiner's thorough consideration provided in the present application. Claims 1-30 are currently pending in the instant application. Claims 1, 9, 12, 13 and 22 have been amended. Claims 1, 2, 9, 12-14, 18, 21, 22, 24 and 25 are independent. Reconsideration of the present application is earnestly solicited.

#### **Reasons for Entry of Amendment**

As discussed in greater detail hereinafter, Applicants respectfully submit that the rejections under 35 U.S.C. § 103 are improper and should be withdrawn. If the present application is not passed to Issue, Applicants submit that the finality of the Final Office Action mailed on September 29, 2003 should be withdrawn.

In accordance with the requirements of 37 CFR 1.116, Applicants respectfully request entry and consideration of the foregoing amendments as they remove issues for appeal (place additional claims in a condition for allowance) and place the current application in a condition for allowance.

### **Allowable Subject Matter**

Applicants appreciate the Examiner's indication of allowable subject matter. Specifically, claims 2-4, 6-8, 10, 11, 14-16, 18, 21 and 24-28 have been allowed by the Examiner. In addition, the subject matter of claims 9 and 13 been objected to as being dependent upon a rejected base claim. In light of the foregoing amendments to the claims, and as indicated by the Examiner, Applicants submit that claims 2-4, 6-11, 13-16, 18, 21 and 24-28 should be allowed. In addition, as discussed in greater detail hereinafter, Applicants submit that all of the claims of the present application should be allowed and the application should be passed to Issue.

### **Claim Rejections Under 35 U.S.C. § 103**

Claims 1, 5, 12, 17, 19, 20, 22, 23, 29 and 30 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Kawada (U.S. Patent Publication No. 2002/0148556). This rejection is respectfully traversed.

In light of the foregoing amendments to the claims, Applicants submit that the prior art of record fails to teach or suggest each and every element of the unique combination of elements of the claimed invention. Accordingly, this rejection should be withdrawn.

For example, with respect to claim 1, Applicants submit that Kawada fails to teach or suggest the combination of elements of the claimed invention, including the limitation(s) of: "A system for handling an adhesive coated sheet media, comprising a feeder for the sheet media; *an activation device for releasing an encapsulated adhesive with a shearing action as sheet media is moved past the activation device by the feeder.*" (*emphasis added*) Accordingly, this rejection should be withdrawn.

With respect to claim 12, Applicants submit that Kawada fails to teach or suggest the combination of elements of the claimed invention, including the limitation(s) of: "A system for handling an adhesive coated sheet media, comprising a feeder for the sheet media; *an activation device for releasing an encapsulated adhesive with a shearing action as sheet media is moved past the activation device by the feeder.*" (*emphasis added*) Accordingly, this rejection should be withdrawn.

With respect to claim 22, Applicants submit that Kawada fails to teach or suggest the combination of elements of the claimed invention, including the limitation(s) of: "A method for transporting a sheet media having an at least one adhesive side, comprising the steps of providing a sheet media having the at least one adhesive side; feeding the sheet media along a travel path; passing

the sheet media against an activation device; *rupturing the encapsulated adhesive with a shearing action as the sheet media moves past the activation device.*" (emphasis added) Accordingly, this rejection should be withdrawn.

The claimed invention is directed toward a complete apparatus, method and system for handling an adhesive coated sheet media. In contrast, Kawada is directed toward a hand held labeler device, e.g., directed toward a continuous narrow length of tape that does not appear to be a sheet media. Accordingly, this rejection should be withdrawn.

Further, the Examiner has acknowledged that Kawada is directed merely toward the destruction/activation of microencapsulated adhesive by applying pressure with rolls, e.g., press roll activation mechanism (element 16 in Kawada). However, Kawada is not directed toward an activation device that incorporates any shearing action to the encapsulated adhesives. It is the Examiner's position that claims 1, 12 and 22 did not adequately claim this feature. Accordingly, without conceding the propriety of the Examiner's rejections, but merely to timely advance the prosecution of the present application, Applicants have amended claims 1, 12 and 22 to more clearly recite the use of a shearing action by the activation device. Accordingly, this

rejection should be withdrawn and the present application should be passed to Issue.

As discussed in previous correspondence with the Examiner, the pressure application of Kawada does not produce a shear force but instead a force normal to the point of application. The present inventors have determined that the shearing action of the activation device of the claimed invention produces smoother and more even activation and spreading of the encapsulated adhesive. Additional support and discussion for these features is provided in the original written description, e.g., at paragraphs 0035 through 0046 of the present specification.

In accordance with the above discussion of the patents relied upon by the Examiner, Applicants respectfully submit that these documents, either in combination together or standing alone, fail to teach or suggest the invention as is set forth by the claims of the instant application.

As to the dependent claims, Applicants respectfully submit that these claims are allowable due to their dependence upon an allowable independent claim, as well as for additional limitations provided by these claims.

### **CONCLUSION**

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but rather to merely show the state-of-the-art, no further comments are necessary with respect thereto.

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Matthew T. Shanley, Registration No. 47,074 at (703) 205-8000 in the Washington, D.C. area.

Docket No. 0011-0374P

Appl. No.: 09/994,047

Art Unit: 1734

Amendment dated November 3, 2003

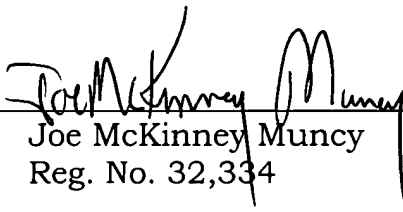
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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